

**Before the  
Federal Communications Commission  
Washington, D.C.**

In the Matter of: )  
 ) Docket **04-140**  
Amendment of Part 97 of the Commission's Rules ) (composite)  
Governing the Amateur Service )  
 )

Commenter, Paul Courson WA3VJB, Amateur Advanced, licensed 1971.

Commenter, having reviewed a tabulation of documents filed by this, the final day to meet the FCC's deadline for the filing of Reply Comments in this proceeding, submits additional reply as follows:

**Support** the Comments of Larry **Robison**, W8ER, Tony **Cypert**, W5OD, Robert **Stout**, WB9ECK, Don **Chester**, K4KYV, and others who collectively make the case for a more substantial cutback in zones protected for Morse code than the cuts proposed in a petition the FCC has sought comment upon.

Challenge and **oppose** the comments of Robert **Rightsell**, AE4FA, who seeks to preserve mandatory protection for HF segments now set aside for the declining specialty of Morse Code. He provides no evidence to demonstrate the need to segregate, by law, future communications modes that have not created interference issues, which would be a pre-requisite for any regulation today.

Challenge and **oppose** the comments of Ray **Soifer**, W2RS, who wishes to retain mandatory subbands. He rightly asserts the potential for interference between incompatible modes, but fails to establish that the incidence of such interference remains chronic and beyond what must be tolerated in a hobbyist communications service. He states that keeping "co-channel SSB" apart from narrowband CW is an "efficient use of spectrum," but provides no substantiation that the zones now protected for CW are adequately populated to a matching extent. He does not address whether the ARRL proposal to slightly scale back these zones would bring such a match, nor is this key point addressed in the ARRL's proposal.

Challenge and **oppose** the comments of Ronald **Holtz**, AI4CB, who characterizes phone operations as "routine, legacy-mode" activity. Holtz has lost sight of the overriding principle that amateur spectrum is shared on an equal basis among all modes and activities. In the Commission's fresh rejection of a proposal to add mandatory zones on 160 meters, the FCC sent a clear message that no minority operating interest is granted special protection beyond informal cooperation and voluntary band planning, consistent with Part 97 standards that ban deliberate interference. Holtz is mute on whether his goal of protecting non-phone communications can be accomplished with dramatically smaller set-asides, if not an outright successive plan of voluntary coordination as this Commenter has proposed.

Signed,  
/s/  
Paul S. Courson  
2150 GMT June 30, 2004